

## REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated November 29, 2005.

A replacement sheet for Fig. 2 is enclosed herewith, changing the text on the arrow leading from the diamond labeled S8 to the oval with the text "END (POWER SUPPLY OFF)" appearing therein from "YES" to "NO" and changing the text on the arrow leading from the diamond labeled S8 to the box labeled S9 from "NO" to "YES". These changes conform Fig. 2 to page 8, line 24, to page 9, line 4, of the specification.

A replacement sheet for Fig. 3 is enclosed herewith, changing the text on the arrow leading from the diamond labeled S19 to the oval with the text "END (POWER SUPPLY OFF)" appearing therein from "YES" to "NO" and changing the text on the arrow from the diamond labeled S19 to the box labeled S20 from "NO" to "YES". These changes conform Fig. 3 to page 10, lines 9-12, of the specification.

Claims 1-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kim, U.S. Patent No. 6,882,860 B1, Ishigaki, U.S. Patent No. 6,678,534, Morgenthaler, U.S. Patent No. 6,310,609, and Bories et al., U.S. Patent No. 6,778,841. Reconsideration of the rejection is respectfully requested.

Independent claim 1 has been amended to provide, in part, for, "[a] portable telephone set, comprising: call termination notification means; ... key input validity notification means operable when said key input discrimination means discriminates that the key inputting operation is valid for causing said call termination notification means to notify the user of the validity of the key inputting operation with a first pattern set in advance, said first pattern being different from a function performed by the key inputting operation; ... said call termination notification means functioning to notify the user of termination of a telephone call in addition to functioning to notify the user of the validity or invalidity of the key inputting operation." Independent claim 5 has been amended, to provide, in part, for, "[a] key operation validity/invalidity notification method for a portable telephone set which includes call termination notification means and key inputting means including a plurality of keys for accepting a key inputting operation of any of said keys by a user of said portable telephone set, comprising: ... said call termination notification

means to notify the user of the validity of the key inputting operation with a first pattern set in advance, said first pattern being different from a function performed by the key inputting operation, ... said call termination notification means functioning to notify the user of termination of a telephone call in addition to functioning to notify the user of the validity or invalidity of the key inputting operation.” Independent claim 9 has been amended to provide, in part, for, “[a] program for a portable telephone set which includes call termination notification means and key inputting means including a plurality of keys for accepting a key inputting operation of any of said keys by a user of said portable telephone set, said program causing a computer to execute the steps of: ... causing, when it is discriminated that the key inputting operation is valid, said call termination notification means to notify the user of the validity of the key inputting operation with a first pattern set in advance, said first pattern being different from a function performed by the key inputting operation; ... said call termination notification means functioning to notify the user of termination of a telephone call in addition to functioning to notify the user of the validity or invalidity of the key inputting operation.” Antecedent basis for the amendments to the independent claims recited above is provided in the specification, for example, on page 8, lines 13-15, page 9, lines 16-22, and on page 10, lines 18-22.

In the Response to Arguments section of the Office Action, the Examiner states that, “there is no recitation of the call termination means having the dual function of both notifying the user of the termination of a call and also notifying the user of the validity or invalidity of key input in the claim language,” (Office Action, page 6, Response to Arguments, lines 11-14). Independent claims 1, 5 and 9 have been amended to expressly provide the feature of the “call termination notification means functioning to notify the user of termination of a telephone call in addition to functioning to notify the user of the validity or invalidity of the key inputting operation,” in order to address the Examiner’s aforementioned allegations regarding the lack of a dual function recitation for the call termination notification means in the claims.

With regard to Morgenthaler, the Examiner indicates that it “teaches notifying a user of a valid key press by performing the desired function which was selected by the user and illuminating the keys corresponding to the selected function (Col.6:42-52). A beep and

performing the desired function, which was selected by the user, are different patterns that could be performed by a plurality of call termination means,” (Office Action, page 7, lines 10-14). Independent claims 1, 5 and 9 have been amended to distinguish Morgenthaler by adding the feature of the first pattern, used by the call termination notification means to notify the user of the validity of a key inputting operation, as “being different from a function performed by the key inputting operation.” In contrast, according to the Examiner, Morgenthaler teaches notification of a user of a valid key press by performing the desired function.

With regard to Ishigaki, that reference does not teach, disclose, or suggest the feature of the “call termination notification means functioning to notify the user of termination of a telephone call in addition to functioning to notify the user of the validity or invalidity of the key inputting operation” as claimed in independent claims 1, 5, and 9.

With regard to Bories et al., it also does not disclose, teach, or suggest the two functions of the call notification termination means previously referred to and claimed in independent claims 1, 5, and 9. In addition, although the Examiner indicates that the user in Bories et al. is able to select one or more types of feedback for a selected input, (Office Action, page 4, lines 7-9), Fig. 2 of Bories et al. indicates that this selection of different types of feedback for a selected input is distinct from and prior to a test for whether or not the selected input is accepted and subsequent different actions depending on whether or not the selected input is accepted. The test for whether the selected input is accepted and the subsequent different actions may be similar to the provision of different patterns in response to the validity and invalidity of a key inputting operation, as claimed in independent claims 1, 5, and 9.

Since claims 2-4 and 6-8 are directly or indirectly dependent upon one of independent claims 1 and 5, they are allowable over Kim, Ishigaki, Morgenthaler, and Bories et al. for the same reasons independent claims 1 and 5 are allowable over Kim, Ishigaki, Morgenthaler, and Bories et al.

In view of the foregoing amendments and remarks, allowance of claims 1-9 is respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 27, 2006:

Max Moskowitz

Name of applicant, assignee or Registered Representative

Signature

February 27, 2006

Date of Signature

Respectfully submitted,



Max Moskowitz

Registration No. 30,576

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700